

FILED



4:32 pm, 4/8/21

U.S. Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING  
Mark L. Carman, United States District Judge  
0:20-cr-173-MLC

Jessica Jarvis, Deputy Clerk  
For the Record  
Brent Rhodes, Law Clerk

April 7-8, 2021  
Mammoth Hot Springs, WY

United States of America,

Plaintiff

Stephanie Hambrick

vs

Theodore E. Garland

Defendant

Alexander Freeburg

**4/7/2021 Bench Trial Day 1**

9:07am	All parties listed above present in open court. Court in session
9:10am	Defendant advised of rights, charges and possible penalties
9:16am	Government opening statements through Stephanie Hambrick
9:19am	Defense opening statements through Alexander Freeburg
9:25am	Government's first witness, Michael Johnson (Zoom), sworn
9:34am	Government moved to admit Exhibit 51, admitted
9:41am	Government Exhibit's 301, 302 and 307 admitted
9:45am	Government Exhibit 301 admitted
9:49am	Government Exhibit 302 not admitted at this time
9:50am	Government Exhibit 307 admitted
9:58am	Government Exhibit's 112 and 113 admitted
10:03am	Government Exhibit's 112 and 113 admitted
10:11am	Government Exhibit 107 admitted
10:14am	Government Exhibit 31 admitted
10:17am	Government rests, Defense cross examination of Michael Johnson
10:32am	Defense Exhibit A admitted
10:40am	Defense rest, Government redirect
10:49am	Government rests, Michael Johnson excused
10:51am	Court in recess
11:02am	Court in session. Government moved to admit Exhibit 302, over ruled objection
11:05am	Government calls Park Ranger Clint Powell (in person) as witness, sworn

11:10am	Government Exhibits 52-57 admitted except 52 (map) is objected. Exhibits 53-57 admitted. Defense heard about Exhibit 52 objection.
11:18am	Government Exhibit 52 admitted.
11:28am	Government rests, Defense cross examination of Ranger Powell.
11:37am	Defense moved to dismiss count 1, motion taken under advisement
11:50am	Defense rest, Government redirect
11:58am	Government rests, Ranger Powell excused.
11:59am	Defense Exhibit B, admitted
12:00pm	Court in recess
1:32pm	Court in session
1:36pm	Government called Devon Beeny as witness, sworn
1:41pm	Government Exhibit 1 admitted
1:43pm	Government Exhibit 2 admitted
1:49pm	Government Exhibit 3 admitted
1:52pm	Government Exhibit 4 admitted
1:55pm	Government Exhibit 310 admitted
1:57pm	Government Exhibit 5 admitted
1:59pm	Government Exhibit 6 admitted
2:00pm	Witness Devon Beeny identified Theodore Garland in Courtroom
2:01pm	Government Exhibit 7, 8, 9 admitted
2:12pm	Government Exhibit 10 admitted
2:16pm	Government Exhibit 58 admitted. Government Exhibits 304, 305 & 306 offered, admitted
2:22pm	Government Exhibit 11 admitted
2:24pm	Government Exhibit 12 admitted
2:25pm	Government Exhibit 13 admitted
2:26pm	Government Exhibit 309 admitted
2:32pm	Government Exhibit 206 admitted
2:34pm	Government Exhibit 209 admitted
2:36pm	Government Exhibit 105 admitted
2:38pm	Government Exhibit 108 admitted
2:39pm	Government Exhibit 109 admitted
2:41pm	Government Exhibit 203 admitted
2:46pm	Government Exhibit 106 admitted
2:47pm	Government Exhibit 110 admitted
2:48pm	Government Exhibit's 202 and 211 admitted
2:51pm	Government Exhibit 14 admitted
2:53pm	Government Exhibit 308, admitted
2:58pm	Government Exhibit 102 admitted
2:59pm	Government Exhibit 201 admitted
3:00pm	Government Exhibit 101 admitted
3:02pm	Government Exhibit 104 admitted
3:03pm	Government Exhibit 111 admitted

3:04pm	Court in recess.
3:24pm	Court in session.
3:25pm	Government Exhibit's 207, 210 and 212 admitted
3:28pm	Government Exhibit 204 admitted
3:30pm	Government Exhibit's 15-30 admitted
3:49pm	Government Exhibit 311, offered defense objected, sustained
3:50pm	Government Exhibit 50 withdrawn
3:58pm	Government Exhibit 303 offered, defense objected, sustained
4:00pm	Government Exhibit 32 admitted
4:04pm	Government Exhibit 33 offered, defense objected, sustained
4:07pm	Government Exhibit 34-39 admitted
4:15pm	Government Exhibit's 40 & 41 admitted
4:21pm	Government Exhibit 42 admitted
4:25pm	Government Exhibit 43 admitted
4:27pm	Government Exhibit 44 admitted
4:29pm	Government Exhibit 103 admitted
4:30pm	Government Exhibit 114 admitted
4:32pm	Government Exhibit's 208 & 213 admitted
4:34pm	Government Exhibit's 45-49 admitted
4:55pm	Government rests. Court in recess.

#### **4/8/2021 Bench Trial Day 2**

9:00am	Court in session, Government witness Devon Beeny (in person) takes stand, Defense through Alex Freeburg cross examination.
10:04am	Defense using map for aerial view of Shoshone Geyser Basin, will not be admitted as an exhibit, Government allowed to question witness in regard to map.
10:10am	Defense Exhibit D admitted
10:24am	Court in recess.
10:47am	Court in session, Government redirect.
11:14am	Government rests, Devon Beeny excused from stand.
11:29am	Defense called witness, Lisa Merrell (via Zoom), sworn
11:44am	Government cross examination
11:47am	Government and Defense rests. Lisa Merrell excused from stand.
11:51am	Off record at Judge's request while operational matters were taken care of. Decided to recess while off record.
12:30pm	Court in session.
12:34pm	Defense called witness, Armando Fana (Zoom), sworn
12:40pm	Government cross examination
12:49pm	Government and Defense rests, Armando Fana excused as witness.
12:53pm	Government closing statements through Stephanie Hambrick.
1:32pm	Defense closing statements through Alexander Freeburg.

1:51pm      Deadline for findings of fact 4/23/21  
2:00pm      Court in recess, taken under advisement

**4/7/21 Daily Witnesses:**

Michael Johnson (Zoom)  
Clint Powell (in person)  
Devon Beeny (in person)

**4/8/21 Daily Witnesses:**

Devon Beeny (in person)  
Lisa Merrell (Zoom)  
Armando Fana (Zoom)